

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for non-prisoners to file a civil complaint. NEATLY print in ink (or type) your answers.]

-FILED-

NOV 08 2022

At _____ M

GARY T. BELL, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Andrew Hamilton Cox

[You are the **PLAINTIFF**, print your full name on this line.]

v.

Case Number 1:22-cv-399

[For a new case in this court, leave blank.

The court will assign a case number.]

Wendy Anne Cox

[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.]	
2	[Put the names of any other defendants in these boxes.]	
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

1 / 3

100%

+

**CIVIL COMPLAINT**

#	Defendant's Name and Job Title	Address
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2	[Put the names of any other defendants in these boxes.]	
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 1
2. What is your address? I am homeless. Correspondance can be sent to 6119 Cross Creek Blvd
Ft Wayne IN 46818
3. What is your telephone number: (260) 888.0620
4. Have you ever sued anyone for these exact same claims?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

[**DO NOT** write in the margins or on the back of any pages. Attach additional pages if necessary.]



DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. *[The first paragraph has been numbered for you.]*

1. November 1, 2022 Wendy cox assaulted me with a freestanding metal toilet paper rack. Wendy struck me a minimum of seven blows that can be supported by photographic evidence. Subsequently, I was arrested for domestic assault. The court did not file charges. While I was detained, Wendy, after being pointedly admonished by arresting FWPDP officer Willie Savage to not touch my car, ignored that warning and stole my car. An auto theft was reported to FWPDP Officer Tyler Karns. The officer went to 2301 Fairfield Ave. Ft Wayne 46807 and viewed the building's CCV with the property manager, Fabian Mendez. Fabian has since told me the CCV clearly shows Wendy enter my car and drive off the property. At this time, the vehicle has not been recovered. Wendy also assaulted me with a slap across the face on October 22, 2022 in front of our 14yr old son. Both assaults are not only a violation of my civil rights, but criminal in nature as well. Both assaults occurred in front of our minor child and each are criminal offenses. Wendy has filed for and was granted a restraining order. Wendy filed a statement to get that restraining order, too lengthy to refute at this time, as I only received it yesterday. Wendy's photos, used to obtain that restraining order actually support my charge of the assault that occurred 11-1-2022 and are attached to this document. On November 4, 2022, Wendy surrendered my pet, a cat named Booger, to Ft.Wayne Animal Care and Control knowing i had no way to claim him. My isolation is complete. I am homeless. I work as a courier and since Wendy has stolen my car, I have no way to earn money. I don't know if my age affects the claims I've made against Wendy, but I am 64. If the law views these assaults as elder abuse entitling me to further protections and/or remedies (i.e. legal representation) I beg the court

Claims and Facts (continued)

grant me those rights as well. I am filing forma pauperis.

Respectfully -

Andrew Cox

Attachments: 1; incident report 11-1-2002, 2&3; copies of stolen vehicle report, 4; title, 5-10; photos used to get restraining order, 11; images similar to the weapon used in the assault 11-1-2002, 12&13; Photos of injury to my back.

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do?

Immediately return my vehicle in proper working order complete with contents and no new

damage to the outside. Assume all expenses associated with damages stemming from its theft

Pay for medical costs resulting from this assault: 1 ER visit to determine if there were fractures.

Be held responsible for all violations of criminal statutes if this claim warrants both civil and

criminal charges. Be held responsible for lost wages & punitive damages deemed appropriate.

FILING FEE – Are you paying the filing fee?

☐ Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. *[If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]*

☒ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

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[Initial Each Statement]

 I will keep a copy of this complaint for my records.

 I will promptly notify the court of any change of address.

 I declare under penalty of perjury that the statements in this complaint are true.

Signature

Date

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

Relief

Be held responsible for retrieving my pet.

Or in lieu of.

Be held responsible for boarding my pet and all associated fees & charges including but not limited to

- Administrative fees
- food
- medications
- transportation

And

Suffer punitive damages for the stress caused to my animal & my self, caused by this arbitrary decision to intentionally inflict trauma to both my animal & me.

Suffer severe penalty should I not be able to be reunited with Booger.

Be held for any/all violations of animal abuse laws or statutes regarding the mistreatment of animals